



W.P(MD)No.26601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26601 of 2023

Jasper New Prabhu

... Petitioner

Vs.

1.The Sub Registrar,
Chinnamanur,
Theni District.

2.Venkatesh Babu

3.R.D.Shibin

... Respondents

(Third respondent impleaded
vide court order dated 26.03.2024)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.225/2023 dated 17.10.2023 and quash the same as illegal, consequently direct the first respondent to register the specific power of attorney deed dated 17.10.2023 presented by the petitioner for registration on 17.10.2023.



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For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.M.Senthil Ayyanar,
Government Advocate for R1

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ORDER

The petitioner wants the power of attorney executed in his name to be registered. The principal of the petitioner is figuring as the first defendant in the suit filed by the second respondent. Citing the pendency of the suit and the objection raised by the second respondent, the registration was refused by the first respondent. Challenging the same, this writ petition came to be filed.

2.On such grounds, registration could not be refused. I set aside the impugned order. The matter is remitted to the file of the first respondent. He will issue notice to the second respondent as well as the impleaded respondent. In the notice to be issued, the first respondent will make it clear that if within six weeks from the receipt of notice restraint order has not been obtained from the jurisdictional court, the



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document will be registered. The first respondent will register the power of attorney if during the above said period, any restraint order has not been obtained.

3. With this direction to the first respondent, this writ petition is disposed of. No costs.

26.03.2024

Index : Yes / No
Internet : Yes/ No
Skm

To:-

The Sub Registrar, Chinnamanur, Theni District.



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G.R.SWAMINATHAN, J.

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